



U.S. DEPARTMENT OF TRANSPORTATION
OFFICE OF INSPECTOR GENERAL

July 30, 2019

MuckRock News
DEPT MR 74272
411A Highland Ave.
74272-87934947@requests.muckrock.com

RE: FOIA Request, Control No.: FI-2019-0087

Dear Ms. Best:

This letter is in response to your Freedom of Information Act (FOIA) request, dated June 5, 2019, sent to the U.S. Department of Transportation (DOT) Office of Inspector General (OIG). Your request was received by the DOT OIG FOIA Office on June 6, 2019. You requested: "copies of records mentioning or describing audits, reviews, investigations or reports regarding the agency's cyber security, including audits or investigations regarding the state of the agency's cyber security regarding potential attacks, as well as audits and investigations conducted in the wake of a suspected or actual cyber attack, hacking incident or breach. Please include materials generated between 1 January 1996 and 30 June 2016."

You requested copies of audits that concern the agency's cyber security. The DOT OIG posts completed audit reports on our website. Audit reports can be found on our website at www.oig.dot.gov/audits.

In response to your request for investigations regarding the agency's cybersecurity, enclosed are records responsive to that portion of your request. Some information was redacted or withheld pursuant to exemptions provided by the Freedom of Information Act (5 U.S.C. § 552 (b)(5), (b)(6), (b)(7)(c), (b)(7)(e))¹. There were a total of eleven (11) pages responsive to your request. We are producing the 11 pages with redactions.

Please be advised of our general records schedule (#DAA-0398-2013-0001) set forth by the National Archives and Records Administration (NARA) for DOT OIG. According to our records

¹ Exemption 5 protects information encompassed by the deliberative process privilege. Exemption 6 protects names and any data-identifying individuals if public disclosure would be a clearly unwarranted invasion of privacy. Exemption 7(C) protects personal information in law enforcement records. It prevents the disclosure of law enforcement information that could reasonably constitute an unwarranted invasion of personal privacy. Exemption 7(E) protects techniques/procedures used in law enforcement investigations or prosecutions from disclosure. It prevents the disclosure of guidelines for law enforcement investigations or prosecutions if disclosure could reasonably be expected to risk circumvention of the law.

schedule, most investigative case files are maintained for only 10 years from the end of the fiscal year in which they were closed. Therefore, any potential investigative case files regarding the agency's cybersecurity from 1996 to 2008 would have been destroyed.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact the DOT OIG FOIA Office to discuss any aspect of your request at:

FOIA Requester Service Center
Office of Inspector General
U.S. Department of Transportation
1200 New Jersey Avenue, S.E., 7th Floor
Washington, DC 20590
Tel: (202) 366-6131
Fax: (202) 366-1975

You may also contact FOIA Public Liaison, Seth Kaufman at (202)366-8751, Seth.Kaufman@oig.dot.gov for any further assistance.

If you are not satisfied with the DOT OIG's determination in response to this request, you may administratively appeal by writing to the Office of General Counsel, U.S. Department of Transportation Office of Inspector General, 7th Floor West (J3), 1200 New Jersey Avenue, S.E. Washington, DC 20590. Appeals to the General Counsel should be prominently marked as a "FOIA Appeal." If you prefer, your appeal may be sent via electronic mail to FOIAAPPEALS@oig.dot.gov. An appeal must be received within 90 days of this determination and should contain any information and arguments you wish to rely on. The General Counsel's determination will be administratively final.

You also have the right to seek dispute resolution services from the FOIA Public Liaison (contact information shown above) or the Office of Government Information Services (<https://ogis.archives.gov>) via phone—202-741-5770 / toll free—1-877-684-6448; fax—202-741-5769; or email—ogis@nara.gov.

Sincerely,

Siera Griffin
Government Information Specialist

Enclosure